

Housing Rights

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Consultation Response

Review of the statutory minimum housing fitness standard for all tenures of dwelling

June 2016

when everyone has a home

1.0 Introduction

Housing Rights was established in 1964 and is the leading provider of independent specialist housing advice services in Northern Ireland. It works to achieve positive change by protecting and promoting the rights of people who are in housing need and our policy work is based on the experience of our clients. Its services are delivered throughout NI and focus on the key areas of preventing homelessness, accessing accommodation and tackling affordability and poor housing conditions.

2.0 Summary

Housing Rights believes:

- The current fitness standard is unsatisfactory and needs replaced in its entirety. It is insufficient to make amendments to the standard which do not directly link housing with health.
- An internationally recognised system of best practice currently exists in the Housing Health and Safety Rating System which has been in operation since 2006 in England and Wales and has more recently been given international recognition with its adoption in the USA.
- Lessons about the application of the Housing, Health and Safety Rating System's operation can be learned from its operation elsewhere to enhance its application in Northern Ireland. Housing Rights is also aware that the NIHE House Condition Survey currently measures housing fitness using an abbreviated form of the HHSRS in addition to other measures. It has therefore already been linked to existing practice in Northern Ireland. Enforcement of any revised standard is critically important in ensuring that improvements to the standard result in improvements in housing conditions. Local councils therefore must be equipped with adequate resources in this regard. Housing Rights is mindful that work is ongoing within the Department for Communities with regards to the role and regulation of the private rented sector and view the potential to align this work with that of the fitness standard as having the potential to maximise improvements for people living in this sector.
- The Department for Communities should liaise with the Department of Health to work together to tackle poor housing, and thus reduce risks to health.
- The introduction of HHSRS would not only benefit householders and tenants across all tenures, but would be of particular benefit in addressing the problems facing some Section 75 groups.
- The HHSRS is the best option for making real improvements to the quality of housing and to tackling inequalities faced by those persons who are most at risk of poor housing.
- In the long term it is important for Government to look not only at the financial implications at reviewing the minimum standard for fitness but to also be cognisant of the cost implications in terms of poorer health, educational etc. outcomes of not implementing a system such as the HHSRS.

3.0 Overarching comments

3.1 The experience of our clients

Calls to our advice line about issues of disrepair and unfitness are a common occurrence. In 2015-2016, Housing Rights dealt with almost 3,000 issues relating to housing conditions. Of those 3,000 issues, the following table illustrates the prevalence of this problem, particularly for people living in the private rented sector:¹

Private rented sector	71%
Social rented sector	14%
Tenure not specified	10%
Owner occupier	4%
Homeless	1%

Housing Rights is particularly concerned at the high level of disrepair and unfitness issues amongst its clients residing in private rented accommodation; particularly since the sector is continuing to grow in importance, with 1 in 5 households now living in the sector² and the Northern Ireland Housing Executive (NIHE) increasingly using the sector when discharging their statutory duties to homeless persons. Housing Rights welcomes the Review of the Statutory Minimum Housing Fitness Standard and is pleased to submit this response.

3.2 The opportunity presented by the current review

Although any changes to the statutory minimum housing fitness standard will have cross tenure implications, **Housing Rights believes that the opportunity presented by the current review of the role and regulation of the private rented sector aligned with changes to the fitness standard, has the potential to yield maximum improvements to housing conditions in this sector.**³ There are particular problems with fitness levels in the private rented sector which need addressed, especially considering the increasing reliance that is being put on the sector to provide accommodation to meet housing demand and, in particular, for those people on low incomes and in housing need.

In preparing this response, and taking into account the experiences of clients, Housing Rights is of the firm opinion that the current fitness standard as set out in the Housing (NI) Order 1981, as amended, and other relevant legislation flowing from it, such as the Decent Homes Standard, needs to be replaced entirely.

Housing Rights recommends that the current fitness standard is replaced with the Housing Health and Safety Rating System (HHSRS) which is not only a more holistic

¹ Data taken from the number of housing issues dealt with by Housing Rights in 2015/16. Figures are broken down into tenure type of the client at their date of contact.

² http://www.nihe.gov.uk/northern_ireland_housing_market_perspectives_2015-2018.pdf

³ http://www.housingrights.org.uk/sites/default/files/policydocs/Housing%20Rights%20Reponse%20to%20Review%20of%20the%20PRS%20Feb%2016_0.pdf

system for assessing housing conditions and their impact on people, it has also been used effectively in England and Wales for several years and has been given international recognition by being adopted in the USA.

Housing Rights is also aware of the long recognised body of evidence on the impact of housing on health. The Department may also be aware that other bodies with an interest in housing and health issues such as the Northern Ireland Human Rights Commission have demonstrated interest in the adoption of the HHSRS in Northern Ireland. The NIHRC recently advised the UN Committee on Economic, Social and Cultural Rights to ask the NI Executive about its plans to adopt the HHSRS in Northern Ireland.⁴

The implementation of the HHSRS is also particularly relevant to the Draft Programme for Government Framework 2016-21 which is currently out for consultation.⁵ There is a direct link between a new improved standard which links health to housing and which can demonstrate measurable outcomes, and some of the key outcomes and measures proposed in the Draft Programme i.e.

- enjoying long, healthy, active lives
- having a more equal society
- giving children and young people the best start in life
- reducing health inequality
- reducing preventable deaths
- improving mental health.

Housing Rights believes that by implementing the HHSRS the Department could lead the way in adopting an outcomes measurement approach and inter-Departmental working, as reflected in the Draft Programme. There is therefore, an opportunity for the implementation of the HHSRS to be an exemplar initiative of the NI Executive's approach as identified in the draft Programme for Government framework.

4.0 The current fitness standard

The current fitness standard dates back to the Housing (NI) Order 1981 and over the years it has gone through a number of amendments. Although statistics indicate that the level of unfitness in Northern Ireland is relatively low at 4.6%, this figure is very much based on a fitness standard that has such a low threshold that it makes the results unreflective of the real living situation of many people in Northern Ireland.⁶ The current fitness standard is therefore ineffectual at rooting out real unfitness and addressing its causes. What Northern Ireland really needs is a new approach which not only looks at the condition of the property,

⁴ <http://www.nihrc.org/images/uploads/NIHRCICESCR2016.pdf>

⁵ <https://www.northernireland.gov.uk/sites/default/files/consultations/newnigov/draft-pfg-framework-2016-21.pdf>

⁶ http://www.nihe.gov.uk/northern_ireland_house_condition_survey_main_report_2011.pdf

but which also addresses the health and potential risks to health of its occupants. Housing Rights believes that the HHSRS ticks all the relevant boxes in this regard.

Common feedback from Housing Rights clients and advisers is that the fitness standard does not provide sufficient protections to ensure that tenants are living in good standard, safe accommodation. Frustration is often expressed at the lack of legal protections afforded under the 1981 Order and the perceived lack of enforcement on the part of local councils.

A classic example of dissatisfaction with the current system is the requirement to *"have adequate provision for...heating..."* In reality, this can be interpreted as being satisfied if a client has access to an electrical socket to be able to plug in an electric heater. Taking into account the high levels of fuel poverty in Northern Ireland⁷ and the relatively high cost of electricity many Housing Rights clients, when confronted with this reality, will find it difficult to keep their homes heated to a sufficient level with the use of electric heaters alone.

The consultation document acknowledges that *"The Housing Fitness Standard has not kept pace with building standards, environmental and health and safety issues while other parts of the United Kingdom have, at least to some extent, enhanced their standards to take account of some of these key developments."* **Housing Rights strongly believes that this consultation offers the best opportunity to improve the future of housing in Northern Ireland and to eradicate poor housing by implementing the HHSRS.**

5.0 Problems with the current standard

5.1. Poor housing and the impact on health

The links between poor housing and poor physical and mental health are well documented. The *'Cost of Poor Housing in Northern Ireland'* looks at this problem and acknowledges that *"...there is a large and growing body of evidence linking systematically adverse health effects with poor housing conditions. These conditions include: dampness; living in a cold home; household accidents; noise; the fear of crime; overcrowding; and fire safety."*⁸

The Department may be aware that a review is being carried out by the Department of Health at Westminster which will look at the extent to which people's health is negatively affected by poor housing.⁹ The research will also attempt to assess the financial impact on health bodies and local authorities caused by poor housing. **Housing Rights recommends that the Department liaises generally with the Department of Health (NI) on a number of areas raised within this response to work together to tackle poor housing, and thus reduce risks to health.**

Housing Rights has identified a number of particular problems in this area which could be addressed by implementing the HHSRS:

⁷ Ibid.6

⁸ http://www.nihe.gov.uk/cost_of_poor_housing_in_ni.pdf

⁹ <https://jonrouse.blog.gov.uk/2016/04/28/good-health-begins-at-home/>

<p>Thermal comfort</p>	<p>Adopting the HHSRS could have a positive impact on poor health caused by a lack of thermal comfort. Cold homes have a particularly negative impact on households with children. Between 2008 and 2013, one in three households with children were in fuel poverty; some 73,000 households.¹⁰ Many children living in colder properties end up with long term health issues,¹¹ or have to be hospitalised. Research from Bernard Stafford of Sheffield Hallam University, on childhood hypothermia revealed surprising figures in the demographics of those who are hospitalised as a result of primary hypothermia. The figures from the health service in England show that a child under 5 is much more likely to be admitted to hospital.¹² Some of the underlying factors for this are the relative price of domestic fuel and under 5s being more likely to be at home for most of the day, compared to older children who are out at school. If the home is not heated properly then the under 5s have a higher exposure to the risks of cold.</p>
<p>Fuel poverty</p>	<p>There is a very real link between thermal comfort and fuel poverty. The 2011 House Conditions Survey found that approximately 294,000 (42%) of households in Northern Ireland were in fuel poverty. Fuel poverty is also more likely to impact on low income families; many of whom are now living in the private rented sector. In fact the Survey report comments that "<i>The cost of fuel and low income will remain important determinants of whether a household is still in fuel poverty.</i>"¹³</p> <p>The tenure with the highest proportion in fuel poverty in 2011 was the private rented sector (49%), followed by the Housing Executive (44%). Households with solid fuel (59%) or electric (46%) central heating were more likely to be in fuel poverty than households with oil (44%) or mains gas (34%) central heating.¹⁴ Cold homes also lead to excess winter deaths. In many households with older occupants there is often the</p>

¹⁰ www.healthyplaces.org.uk/EasySiteWeb/GatewayLink.aspx?allId=54299

¹¹

[https://www.savethechildren.org.uk/sites/default/files/docs/The_Impact_of_Fuel_Poverty_on_Children_Dec_08\(1\)_1.pdf](https://www.savethechildren.org.uk/sites/default/files/docs/The_Impact_of_Fuel_Poverty_on_Children_Dec_08(1)_1.pdf)

¹² <file:///C:/Users/sharon/Downloads/ESRC%20Belfast%20Seminar%20Briefing%20Paper.pdf>

¹³ Ibid.6

¹⁴ Ibid. 6

	<p>debate over 'heat or eat'. Experts have estimated that 40% of such deaths could be related to poor thermal conditions.¹⁵</p> <p>Recent statistics indicate that in 2014/15 there were 870 excess winter deaths in Northern Ireland, the highest since 2009/10.¹⁶ While these deaths cannot be wholly attributable to fuel poverty it is undeniable that not being able to afford to heat one's home is a contributing factor to ill-health and has potentially life-threatening implications for older people. It is estimated that there have been 1,890 excess winter deaths in the last decade which are directly attributable to people living in cold and damp homes.¹⁷</p>
<p>Condensation</p>	<p>Condensation is another housing problem that is prevalent in Northern Ireland. It has a direct link to fuel poverty and poor health. The link between inadequate heating; damp, cold, and mouldy houses; and poor health has been highlighted in international reports. A survey carried out by the Ipsos Mori found that 44% of respondents claimed to live in draughty homes, 37% in homes with condensation and 28% in homes with mould. These issues were worse for people renting.¹⁸</p> <p>The impact of condensation can cause much distress and can lead to poor physical health. Although condensation can sometimes be caused by bad lifestyle choices e.g. not opening windows, there are times when it is caused by fundamental issues with the ventilation and heating provision in the property. There is also a link between condensation and fuel poverty, where occupants cannot afford to heat their home to a sufficient standard to prevent or reduce the occurrence of condensation.</p> <p>Under the current fitness standard, condensation will not lead to a property failing the fitness test. But, the HHSRS can consider moisture retention in a property, the risks it creates to occupants and assesses possible measures for combating it.</p>

¹⁵ 'Housing, Energy and Thermal Comfort: A review of 10 countries with the WHO European Region', WHO for Europe, 2005

¹⁶ <http://www.nisra.gov.uk/demography/default.asp32.htm>

¹⁷ Par 3, http://www.niassembly.gov.uk/globalassets/documents/reports/social-development/nia_36_11_15.pdf

¹⁸ <http://www.energysavingtrust.org.uk/news/cold-draughty-mouldy-damp-what-uk-public-think-about-their-homes>

5.2. Safety issues

Unlike the current fitness standard, the HHSRS examines a property on the basis of risk for potential safety hazards, such as fire, electrical faults and the likelihood of falls. **Housing Rights would encourage greater synergy between the Department for Communities and the Department of Health on all safety issues in the home including the risks of fire, electrical hazards and falls. As mentioned earlier, there is a clear correlation between poor housing and costs to the NHS; costs which could be greatly reduced if a fitness standard which incorporated health and housing in any system of measurement, was put in place.**

Housing Rights has identified a number of safety issues which could be better rectified through the application of the HHSRS:

<p>Fire safety</p>	<p>The current fitness standard permits the use of an electric heater to suffice as an adequate provision of heating. Apart from the cost concerns of using electricity as a main form of heating; there are also strong safety concerns connected with the use of electric heaters.</p> <p>Research carried out by the Northern Ireland Fire and Rescue Service shows that homes in Northern Ireland are at a high risk from fires of an electrical origin. In 2013-14, electricity-related fires accounted for over 65% of all accidental fires in Northern Ireland.¹⁹</p> <p>Housing Rights believes that the HHSRS would be able to properly address the risk of using electric heaters when assessing a property for its thermal comfort.</p>
<p>Electrical safety</p>	<p>Housing Rights supports the campaign of Electrical Safety First to introduce five-yearly electrical safety checks in Northern Ireland. This is especially important in the private rented sector, where there are greater risks of electrical hazards.²⁰</p> <p>Regulations do exist at present pertaining to the safety of electrical appliances provided by landlords in furnished accommodation. Local councils are responsible for the enforcement of these regulations.²¹ However, the main drawback of such regulations is that they are reactive rather</p>

¹⁹ 'Briefing: Electrical Safety and Northern Ireland's Private Rented Sector', Electrical Safety First

²⁰ Ibid.19

²¹ Electrical Equipment (Safety) Regulations 1994 and the Plugs and Sockets (Safety) Regulations 1994

	<p>than proactive in dealing with faulty equipment. In many cases a tenant is dependent on using the electrical appliances provided by the landlord as part of their tenancy agreement, for example bulky white goods. There is a degree of trust on the part of the tenant that the equipment is safe to use. Where a tenant suspects or learns that the equipment is not safe to use then they have to rely on the landlord to repair or replace the appliance. This is outside the control of the tenant, as in the private rented sector there are no time scales by which a landlord must carry out a repair or a replacement. Where the tenant is dissatisfied with the reaction of the landlord, they are often left with no option but to report the matter to their local council.</p> <p>In some cases, this can lead to a breakdown in the relationship between the tenant and landlord and can carry the risk of retaliatory eviction. Housing Rights would like to see improved safety standards in accommodation especially around fire safety. It would also like to see reasonable statutory timescales set down by which all landlords must comply with a repair request. Local councils also need to be adequately resourced and supported to be able to carry out their full remit of enforcement powers.</p>
<p>Carbon monoxide</p>	<p>The Royal Society for the Prevention of Accidents (RoSPA) has stated that <i>"Exposure to carbon monoxide by any fossil fuel burning appliance that is not properly installed or regularly serviced can lead to death or illness. It is not only poor workmanship on the part of heating engineers but also householders and landlords failing to service and maintain appliances that can lead to exposure."</i>²²</p> <p>Those most at risk of carbon monoxide poisoning include unborn children, infants, older people aged over 65 and people with anaemia or heart or lung disease.</p> <p>Death and risk of death caused by carbon monoxide, 'the silent killer', could easily be rectified by the installation of carbon monoxide alarms. Housing Rights would like to see a requirement for carbon monoxide and smoke alarms to be installed and maintained in all rented properties. Furthermore, the risks associated with carbon monoxide are addressed in the HHSRS assessment.</p>

²² <http://www.rospace.com/rospaweb/docs/campaigns-fundraising/big-book-ni.pdf>

<p>Accidents</p>	<p>A key aspect of the HHSRS is the prevention of accidents. In 2014, Housing Rights responded to Department of Health, Social Services and Public Safety (since 9 May 2016, the Department of Health) on its consultation into the Home Accident Prevention Strategy 2014-2024.²³</p> <p>In its response, Housing Rights highlighted the link between poor quality housing and home accidents. The response stated <i>"The risk of having an accident can greatly increase in poor and inadequate housing in addition to circumstances such as disability, illness or other types of vulnerability.... We believe that the current fitness standard is unable to address the most common health and safety defects found in rented accommodation..."</i></p> <p>Housing Rights recommends that the Department liaise with the Department of Health regarding the implementation of HHSRS as complementary tool in the prevention of accidents in the home.</p>
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6.0. Fitness and licensing

Housing Rights believes that any fitness standard is only as good as its enforcement.

There is therefore a need for local councils to be equipped with adequate resources to enable them to properly enforce the fitness standard and thereby protect tenants, help improve people's health and wellbeing and tackle those landlords who provide a poor standard of housing.

Housing Rights believes that there is a clear link between raising the housing standards in the private rented sector and the licensing of private landlords. As mentioned previously, there are more risks to health, wellbeing and safety when living in the private rented sector; some of which may be attributed to the lack of regulation in that sector.

Housing Rights believes that the effectiveness of the HHSRS could be further enhanced by making compliance with it a condition of any licensing system. The review of the fitness standard is therefore an integral part of the wider review of the role and regulation of the private rented sector that the Department is currently undertaking.²⁴

Licensing could complement the HHSRS and lead to improved policy and practice in the sector. Licensing would enable Government to collect much more relevant data on the

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<http://www.housingrights.org.uk/sites/default/files/policydocs/HRS%20Response%20to%20DHSSPS%20Home%20Accident%20Prevention%20consultation%20August%202014.pdf>

²⁴ Ibid.3

private rented sector than can be currently collected under the Landlord Registration Scheme. Improved information on the sector would enable local councils to effectively target poor condition properties; thereby, improving the overall housing stock.

Evidence from the London Borough of Newham, which operates a licensing system, shows that it can lead to greater professionalism in the sector. Research has also shown an increase in tenant satisfaction with their landlord and their rental property and with the standard of the property.²⁵

Housing Rights is encouraged that Belfast City Council (BCC), which has one of the largest stock of private rented accommodation in NI, has recently called for the introduction of both the HHSRS as the new fitness standard and licensing in the private rented sector.²⁶ BCC has expressed the frustrations faced by its Environmental Health Department with the current fitness standard. BCC believes that landlord licensing would help councils to tackle poor housing standards.²⁷ A licensing scheme could help with this by providing additional financial resources to local councils via the licensing fees. Newham Borough Council has shown how a successful licensing system can lead to a self-funding enforcement regime.

Housing Rights understands that the Department will be looking at the statutory arrangements for private sector housing assistance in the near future. Housing Rights believes that access to such resources is crucial to improving property fitness levels and wellbeing of occupants. Accordingly, resources should be linked to fitness. Housing Rights welcomes the opportunity to be involved in further discussions in this area.

7.0. Equality issues

A recent report, commissioned by the Equality Commission NI as part of a review into key inequalities, highlights the varying housing conditions amongst different Section 75 groups in Northern Ireland.²⁸ Some of its key findings are:

- Older women more frequently experience poor housing conditions than older men in rural areas, whilst older men are more likely to experience poor housing in urban areas.
- Throughout NI, older people are more likely to live in poor housing than younger age groups.

²⁵

https://england.shelter.org.uk/_data/assets/pdf_file/0003/1039530/FINAL_SAFE_AND_DECENT_HOMES_REPORT-USE_FOR_LAUNCH.pdf

²⁶

file:///S:/GROUPS%20FOLDER/Policy%20&%20Practice%20Team/Policy/Policy%20Consultation%20Responses/2016/Housing%20Fitness%20Standards/Belfast%20City%20Council_prs%20review%20response.pdf

²⁷ <http://www.housingrights.org.uk/news/linking-health-and-housing-recap-our-seminar>

²⁸ Housing and Communities' Inequalities in Northern Ireland, Centre for Housing Policy, University of York, https://www.york.ac.uk/media/chp/documents/2016/RES1314_04_HousingIneq_Final%20Report%20v1e_FINAL_June2015.pdf

- Whilst the private rented sector has been useful in housing minority ethnic groups and migrants, it is likely to have limited security, high housing costs, poor housing management and poorer housing conditions.
- Migrant workers who live in tied accommodation often experience poor conditions and overcrowding.
- Irish travellers experience a lack of basic amenities on sites.
- Single, divorced and separated people live in poorer conditions, especially in the private rented sector.

Housing Rights notes that the Department has carried out an Equality Screening as part of its review. **Housing Rights believes that the introduction of HHSRS would not only help to benefit householders and tenants across all tenures, but would be of particular benefit in addressing the problems facing some Section 75 groups as identified in the equality screening exercise, some of whom may face a greater risk to their health and well-being as a result of poor housing.** The HHSRS could rectify this, as it puts particular emphasis on older and younger occupants and the risks they may face in the home. For example, HHSRS can take account of deficient stairs which can lead to falls which poses a higher risk to older people and children. It can also assess damp and mould issues which can lead to longer term health issues, such as asthma, amongst children.

8.0 The way forward

8.1 Enhancing the current standard is not sufficient

Housing Rights is not convinced that making alterations to the current fitness regime would be enough to bring about sufficient change to improve the living conditions of its clients who are dealing with the deficiencies of a pass or fail fitness standard on a daily basis. It would also be unsatisfactory for local councils who, just like Housing Rights clients and advisers, can be disappointed and frustrated with the lack of protection and improvements afforded under a pass or fail test. The best way forward in tackling all of these issues is to implement an overarching, holistic system which looks at more than just the bricks and mortar, and this can be satisfied by the HHSRS.

Housing Rights recommends the implementation of Model B - the HHSRS. In its opinion, this is the best option for improving not only housing conditions, but also the health, wellbeing and safety of those currently living in poor standard accommodation.

The HHSRS is also more reflective of the general direction of the NI Executive, which is reflected in the recent publication of the draft Programme for Government Framework. The HHSRS is the only option which meaningfully integrates the health and wellbeing of vulnerable occupants into the assessment of property fitness. By enabling an assessment of housing conditions which is linked to health outcomes, resources can be targeted to ensure that public resources yield maximum impact across multiple government indicators.

The Department's *'Draft (Partial) Regulatory Impact Assessment'* sets out some of the benefits which could arise from a new fitness standard, which it accepts could be the HHSRS, including:

- A reduction in casualties and fatalities from accidents in the home;
- Reduced costs to the NHS;
- Improved mental health and wellbeing;
- Improved housing stock.

8.2 Enabling a more accurate assessment of housing conditions

The HHSRS would also enable greater monitoring and provide a real picture of the housing stock as it is very much an evidence based system. **Housing Rights believes that the HHSRS is the best option for making real improvements to the quality of housing and to tackling inequalities faced by those persons who are most at risk of poor housing.**

The HHSRS has been used in England and Wales since 2006. It is a well-established system that assesses accommodation by considering a range of 29 health and safety hazards. Particular consideration is given to people with vulnerabilities; such as the very young, older people and people with disabilities. The impact of any hazard on occupants or future occupants is measured and quantified. The underlying principle of the HHSRS is that *"Any residential premises should provide a safe and healthy environment for any potential occupier or visitor."*²⁹

In contrast, the current fitness standard is very much a pass or fail test. It solely looks at the property and not its impact on the occupants. This can cause much consternation amongst Housing Rights' clients and advisers and leads to frustration with the current system.

8.3 Addressing the cost of implementing a new system

The review document makes reference to the costs involved in bringing properties up to HHSRS standard. **Housing Rights believes that in the long term it is important for Government to look at the cost implications of not implementing the HHSRS.** There are substantial ongoing costs to the NHS and society at large of *not* appropriately recognising the links between housing and health through the implementation of the HHSRS. If implemented and with action taken as a result, research has estimated there could be potential savings for the NHS of £33m per year.³⁰

In practical terms, if the HHSRS was to be adopted, Northern Ireland's councils would have a wealth of information and guidance at their disposal flowing from its use in England and Wales.³¹ They would be able to learn from the positive and negative working experiences of

²⁹ Par. 1.12

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf

³⁰ Ibid.8

³¹ [Ibid.29](#)

the councils in these other jurisdictions. Any training already designed for Environmental Health Officers in England and Wales could be customised for our local councils. Furthermore, a body of case law has been gathered in England and Wales, which would assist local councils in their implementation and interpretation of the HHSRS.

Of course, in reality, Northern Ireland already uses the HHSRS to some extent when carrying out the House Conditions Survey. The last survey, published in 2011, concluded that 10% of dwellings in Northern Ireland had one or more Category 1 hazards i.e. such properties would fail the HHSRS. A Category 1 hazard includes excess cold, food safety issues, falls on stairs. Therefore, its implementation would not *'disturb continuity'*, as suggested in the review document.³²

As mentioned previously, poor housing already has a negative cost impact on the NHS, not to mention social services and the educational attainment of children. According to research carried out by BRE Trust and published by the NIHE in 2011 *"...even simple, low-cost safety improvements – handrails on dangerous stairs and steps, hard-wired smoke and carbon monoxide detectors and better home security – are effective in making a difference to people's health. Remedial works to deal with excess cold and dampness in the housing stock, although more expensive, are also effective, particularly when targeting certain types of properties with basic packages of work."*³³

8.4 Addressing the perceived complexity of the HHSRS

Housing Rights notes that issues around the perceived complexity of the HHSRS were the recent subject of debate when the Department for Communities and Local Government (DCLG) examined the application of HHSRS in their 'Review of Property Conditions in the Private Rented Sector'.³⁴ It is particularly significant that the DCLG took steps to improve the information available to landlords and tenants about the operation of the HHSRS following this review. Their assessment of the HHSRS concluded that changes were not necessary, but that a layperson's guide to hazards in the home would be produced to help landlords and tenants understand the system.

Housing Rights recommends that similar guidance be developed and introduced in Northern Ireland. The Department may wish to work directly with groups such as tenants in the development of such guidance.

In this respect, Housing Rights would like to draw attention to the work of the Private Tenants' Forum in highlighting a number of areas for improvement in the private rented

³² See paragraph 6.11

<http://www.housingrights.co.uk/sites/default/files/policydocs/Fitness%20Review%20Discussion%20Document%20March%202016.pdf>

³³ Ibid.8

³⁴

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/412926/150313_Document_1_PRS_property_conditions_govt_response_doc_3_.pdf

sector, particularly with regards to the provision of information for tenants. The Forum also believes that *“Private rental homes should be safe, secure and decent. Poor conditions are putting our health and safety at risk.”* Housing Rights supports their call for better living conditions. Improving health and safety standards in private rented housing is one of the key issues included in their Agenda for Action, as is the compulsory licensing of landlords and letting agents and the establishment of timescales for repairs in the sector.³⁵

Housing Rights looks forward to participating in any future discussions resulting from this consultation exercise and welcomes being involved in the Economic Appraisal of the review.

For further information please contact:

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³⁵ Agenda for Action, <http://www.housingrights.org.uk/sites/default/files/Agenda%20for%20action.pdf>